

Rep. Nadler, Assemblyman Bing Announce Success of Law that Expanded Access to Benefits for 9/11 Work

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NEW YORK -- Assemblymember Jonathan Bing (D-Manhattan) held a press conference this morning to highlight the success of legislation he authored to expand access to workers' compensation benefits for 9/11 rescue and recovery workers (Ch. 446 of 2006), and to draw attention to the need for these heroes to get the health coverage to which they are entitled. Bing was joined by U.S. Congressman Jerrold Nadler (NY-08), Manhattan Borough President Scott Stringer, New York State AFL-CIO, Unsung Heroes Helping Heroes, New York Committee for Occupational Safety and Health (NYCOSH), BALCONY, as well as other organizations who are working to advance the cause of those involved in the rescue, recovery and clean-up operations at Ground Zero.

Bing authored the landmark 2006 legislation that expanded the statute of limitations for filing 9/11-related workers' compensation claims from two years from the date of injury to two years from the date of discovery (Ch. 446 of 2006). During the press conference, Bing was pleased to announce that Governor Eliot Spitzer recently signed into law a second measure he authored to extend the registration deadline for workers' compensation benefits for 9/11 workers by an additional year (Ch. 199 of 2007). Bing said the new law establishes a longer period of time for eligible workers and volunteers to register with the Workers' Compensation Board and creates a clear process for establishing eligibility under the Workers' Compensation Law.

Assemblyman Bing has been pleased with the progress that has been made since the original legislation was enacted on August 14, 2006. Before that law took effect, 55.4% of 9/11 related workers' compensation claims were controverted. After the enactment of the legislation, the number of controverted claims dropped to 40.1%. In addition, as of August 10, 2007 almost 25,000 registration forms have been filed with the Workers' Compensation Board, and the number of registrations between July and August of 2007 was the highest since the law went into existence.

Prior to Bing's 2006 law addressing this issue, many New Yorkers that developed World Trade Center-related illnesses were barred from filing workers' compensation claims because they had not filed by September 2003. Bing worked to expand that statute of limitations to two years from the date of discovery of the injury related to the individual's work at the World Trade Center, Fresh Kills Landfill, or barges transporting material between the two locations. However, in order to qualify for benefits now or at any time in the future, workers were originally required to register with the Workers' Compensation Board by August 14, 2007. As more and more health problems resulting from the attacks are brought to light, Bing fought for and succeeded in extending the law to give workers and volunteers until August 2008 to file their participation statement forms with the Workers' Compensation Board. Bing noted that he will continue to fight to ensure every worker has access to those benefits they are entitled to receive.

"We cannot allow the unsung heroes who participated in the 9/11 clean-up efforts to be denied access to workers' compensation benefits because of arbitrary procedural restrictions," said Bing. "I am encouraged by the improvement we have seen in the last year, but I will continue to fight to protect these men and women to ensure they have access to the health care they need. My new legislation gives them the time they need to file to qualify for the benefits they are entitled to receive."

Bing added that some of the health-related issues stemming from the World Trade Center clean-up are only now becoming apparent. Many of the individuals who put in countless hours of labor during the rescue and cleanup have now developed chronic conditions that have kept them from working, including many respiratory illnesses linked to dust and debris.

"We have an obligation to provide whatever support we can to those who have legitimate workers compensation benefit claims," said Representative Nadler. "I want to thank the New York State Legislature, especially Assemblymember Bing, for working to take down any barriers to that end. I look forward to continue working with my colleagues in Congress to

address the health concerns of all those affected by 9/11, and I am proud to support any effort that helps achieve that goal."

"We're here today to urge every single person who labored at ground zero to register with workers compensation even if you've never felt better in your life. Some health effects take a long time to show up. That means it's crucial to preserve your right to make a claim in the future, even while we all hope and pray that day never arrives. So please - go on line - get the forms - lay claim to what this city and this nation rightly owe you for the risks you took on behalf of us all," said Borough President Stringer.

Bing, an outspoken advocate for the brave men and women who responded in the rescue, recovery and clean-up efforts at the World Trade Center has worked with the AFL-CIO and countless other organizations to get this legislation passed. He held rallies at City Hall and Ground Zero with Congressmembers Carolyn Maloney and Jerrold Nadler, Borough President Scott Stringer and numerous affected workers and volunteers to shed light on this important issue and make sure these heroes are not forgotten. Additionally, Bing was active in this effort previous to his election to the Assembly in 2002, having served as the New York Coordinator of the Federal Emergency Management Agency's (FEMA) Disaster Legal Services Program, which provided free, comprehensive legal advice to approximately 1,000 New Yorkers affected by the 9/11 tragedy.

"We owe it to these brave heroes to ensure that their health care is protected," Bing said. "We don't know all of the effects they may face in the future – that's why I strongly urge each and every person who worked at Ground Zero to register as a participant so they know that if they need it they can gain access to the workers' compensation benefits they deserve."

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